

03/01/00

03-02-00

Attorney

EX-100 MAIL NO.: EL348123700US
ATTORNEY DOCKET NO. 22000.0021U2
SERIAL NO.
PAGE 1 OF 3 (03/01/00)

CONTINUING APPLICATION TRANSMITTAL FORM
(37 C.F.R. § 1.53(b))

ANTICIPATED CLASSIFICATION OF THIS APPLICATION:

CLASS: 435

SUBCLASS: 375.000

PRIOR APPLICATION: 09/170,754

EXAMINER: Shuman, J.

ART UNIT: 1636

To the Assistant Commissioner for Patents:

This is a request for filing a continuing application under 37 C.F.R. 1.53(b), of pending prior application Serial No. 09/170,754 filed on October 13, 1998, which is a divisional of Serial No. 09/052,784, filed on March 31, 1998 (now abandoned), which is a continuation of Serial No. 08/258,852, filed June 13, 1994, now U.S. Patent No. 5,807,746, issued September 15, 1998 of Jaeck J. Hawiger and Yao-Zhong Lin for "A NOVEL METHOD FOR IMPORTING BIOLOGICALLY ACTIVE MOLECULES INTO CELLS."

If any extension of time is necessary for the filing of this application, including any extension of time necessary in the prior application for maintaining copendency between the prior application and this application, and such extension has not otherwise been requested, Applicant hereby petitions for such an extension in the prior application.

1. Enclosed is a specification as prescribed by 35 U.S.C. § 112 containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75, and any drawing required by § 1.81(a).

2. The inventor(s) of the invention being claimed in this application is(are): Jaeck J. Hawiger and Yao-Zhong Lin.

3A. ☒ This application is a continuation or divisional application (not a continuation-in-part) that:

- (i) names as inventors the same or fewer than all of the inventors named in the prior application; and
- (ii) contains no matter that would have been new matter in the prior application; and
- (iii) a copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed:

☒ is enclosed.

☐ will follow.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following persons who are not inventors of the invention being claimed in this application:

--OR--

3B. ☐ This application is a continuation-in-part application, or a continuation or divisional application naming an inventor not named in the prior application. A newly executed oath or declaration:

☐ is enclosed.

☐ will follow.

4. ☐ Amend the Title of the Invention as follows:

5. ☒ Amend the specification by inserting before the first line the sentence:

This application is a continuing application under 37 C.F.R. 1.53(b) of, and claims the benefit of, application serial No. 09/170,754 filed on October 13, 1998, which is a divisional of Serial No. 09/052,784, filed on March 31, 1998, which status is now abandoned, which is a continuation of Serial No. 08/258,852, filed June 13, 1994, now U.S. Patent No. 5,807,746, issued September 15, 1998, which applications and patent are hereby incorporated herein by reference.

6. ☐ Priority of foreign application number, filed on in is claimed under 35 U.S.C. 119.

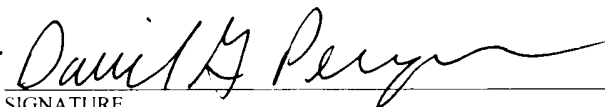
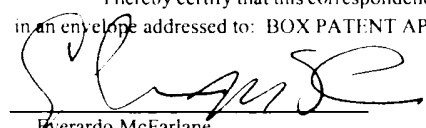
☐ The certified copy has been filed in prior application Serial No., filed on.

7. ☒ Cancel in this application original claims 1-5 and 27-31 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

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8.	[]	A preliminary amendment is enclosed.			
9.	[]	New formal drawings are enclosed.			
10.	[X]	Also enclosed is: Authorization to Treat Reply Requiring Extension of Time as Incorporating Petition for Extension of Time; a copy of the Assignment Recordation Form and the Verified Statement Claiming Small Entity Status, as were filed in Serial No. 08/258,282.			
11.	[X]	The prior application is assigned of record to: Vanderbilt University			
12.	[X]	A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27:			
	[X]	is enclosed			
	[X]	was filed in prior application Serial Number 09/170,754 and such status is still proper and desired (37 C.F.R. 1.28(a)).			
13.	The filing fee is calculated as follows:				
	TOTAL CLAIMS	22 - 20 =	2	x \$18.00	\$36.00
	INDEPENDENT CLAIMS	7 - 3 =	4	x \$78.00	\$312.00
	MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE) =				+ \$260.00
	BASIC FEE =				\$760.00
	TOTAL OF ABOVE CALCULATIONS =				\$1108.00
	REDUCTION BY ½ FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. 1.9, 1.27, 1.28) IF APPLICABLE, AFFIDAVIT MUST BE FILED ALSO.				\$554.00
	TOTAL NATIONAL FEE =				\$554.00

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14.	<input checked="" type="checkbox"/>	A check in the amount of \$554.00 is enclosed.
15.	<input type="checkbox"/>	The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account No. 14-0629.
16.	<input checked="" type="checkbox"/>	The Power of Attorney in the prior application is to: a. <input checked="" type="checkbox"/> The Power of Attorney appears in the original papers in the prior application. b. <input type="checkbox"/> Since the Power does not appear in the original papers, a copy of the power in the prior application is enclosed. c. <input checked="" type="checkbox"/> Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.) David G. Perryman NEEDLE & ROSENBERG, P.C. Suite 1200, The Candler Building 127 Peachtree Street, N.E. Atlanta, GA 30303-1811
17.	I hereby verify that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon. David G. Perryman REG. NO. 33,438  SIGNATURE 3/1/00 DATE <input type="checkbox"/> Inventor(s) <input type="checkbox"/> Assignee of complete interest <input checked="" type="checkbox"/> Attorney or agent of record <input type="checkbox"/> Filed under 37 C.F.R. 1.34(a) (Registration No. is acting under 37 C.F.R. 1.34(a):	
EXPRESS MAIL NO. EL348123700US		
<u>CERTIFICATE OF EXPRESS MAILING</u>		
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Invoice No. EL348123700US in an envelope addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.  Everardo McFarlane 3-1-2000 DATE		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Hawiger et al.)	
)	
Serial No. Unassigned)	Group Art Unit: Unassigned
)	
Filed: Concurrently)	Examiner: Unassigned
)	
For: A NOVEL METHOD FOR IMPORTING)	
BIOLOGICALLY ACTIVE MOLECULES)	
INTO CELLS)	

jc530 U.S. PTO
09/516310
03/01/00

AUTHORIZATION TO TREAT REPLY REQUIRING EXTENSION OF TIME
AS INCORPORATING PETITION FOR EXTENSION OF TIME
AND PAYMENT OF EXTENSION OF TIME FEE

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

March 1, 2000

Sir:

Pursuant to 37 C.F.R. §1.136(a)(3), the Commissioner is hereby requested and authorized to treat any concurrent or future reply in the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

The Commissioner is also authorized to charge all required extension of time fees under 37 C.F.R. § 1.17 to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

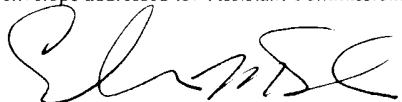


David G. Perryman
Registration No. 33,438

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811
(404) 688-0770

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, No. EI348123700US in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.



Everardo McFarlane

3-1-2000

Date